

OPINION
53-75

October 13, 1953 (OPINION)

MILITARY

RE: Recording of Form D-214

In your letter of October 7, 1953, you state that servicemen who are being released from service at the present time are being issued a form DD-214 which contains the pertinent information with reference to their age, date and place of entry into service, date of separation, etc. You also state that this is not a complete discharge due to the fact that they are being released to inactive duty and that the usual form of discharge appears at a later date when the serviceman is finally and completely discharged from service.

The question now arises as to whether under chapter 248 of the 1947 Session Laws form DD-214 should be recorded by the clerks of court.

It is our opinion that the instrument should be recorded due to the fact that it is a part of the record of discharge of servicemen. You will note that a portion of the act reads as follows: "or duly certified records of their service and discharge from such armed forces."

The legislature recognized the importance of the record of service and separation from the armed forces of veterans from this state. Consequently, it authorized the clerks of court to record that information in order that a permanent record be made and a record that will be permanently available.

Servicemen must be able to supply proof of data contained in form DD-214 and that record being readily available through the clerks of court, I think it only proper that form DD-214 be considered a part of the actual discharge of the veterans and be recorded with the clerks of court in the manner prescribed by chapter 248 of the 1947 Session Laws.

ELMO T. CHRISTIANSON

Attorney General